

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Commission,     ) Application No. NUSF-19  
on its own motion, seeking to         )  
evaluate toll reductions and            ) ORDER INITIATING DOCKET  
access flow-through.                    )  
  ) Entered: October 14, 1999

BY THE COMMISSION:

The Commission, on its own motion, opens this docket to evaluate toll reductions and access flow-through as a result of the implementation of the Nebraska Universal Service Fund (NUSF) for incumbent local exchange carriers (ILECs). According to Nebraska Revised Statute section 75-609(3), "[r]eductions made to access charges ... shall be passed on to the customers..." Furthermore, "the Commission shall have the power and authority to ensure that any access charge reductions ... are passed on in a manner that is fair and reasonable."

In light of the Commission's duty to review actions taken by any telephone carrier to ensure that all access reductions are flowed through to consumers, this Commission makes the following findings and conclusions.

F I N D I N G S     A N D     C O N C L U S I O N S

The Commission is of the opinion and believes that all telecommunications carriers are required to lower their respective toll rates by at an amount that is equal to or exceeds the access reductions made in accordance with Commission orders in Application No. C-1628/NUSF.

With respect to access charges ILECs pay to other access providers, the Commission finds that these payments should be treated in the same manner as access charge payments from interexchange carriers to access providers. Therefore, all ILECs paying access charges to other access providers must file tariff revisions and an access pass-through plan with the Commission on or before November 12, 1999, to pass-through reductions in access charges paid to other access providers.

Furthermore, in light of US West, ALLTEL and GTE's request for additional payments from the NUSF for the replacement of revenues lost due to additional proposed toll reductions, this Commission seeks comment on or before November 1, 1999, on the following issues:

1. Does Nebraska Revised Statute section 75-609(3) apply to ILEC toll services provided via the ILEC's own facilities?

If so, how should the amount of the access charge reduction pass-through be measured?

2. Are there implicit subsidies contained in ILEC toll prices?

If so, how should those subsidies be determined or measured and should ILECs receive replacement compensation from the Nebraska Universal Service Fund for the removal of those subsidies?

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the docket to evaluate toll reductions and access flow-through as a result of the implementation of the Nebraska Universal Service Fund be, and it is hereby, opened.

IT IS FURTHER ORDERED that all ILECs paying access charges to other access providers must file tariff revisions and an access pass-through plan with the Commission on or before November 12, 1999, to pass-through reductions in access charges paid to other access providers.

IT IS FINALLY ORDERED that comments on the above-outlined issues should be filed with this Commission on or before November 1, 1999. Parties filing comments should file three paper copies and one electronic copy in WordPerfect 6.0 (or newer) format.

MADE AND ENTERED at Lincoln, Nebraska, this 14th day of October, 1999.

NEBRASKA PUBLIC SERVICE COMMISSION:

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Executive Director

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